



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.1398 of 2017

and

W.M.P (MD) No.1147 and 1148 of 2017

Vairavapuram-Nehru Nagar Residents Welfare
Represented by its President,
SMK.Ramanathan,
S/o.Kulanthiyan,
3/194, Kavery Illam, 4th street,
Algappapuram Post, Karaikudi,
Sivagangai District.

.. Petitioner

Vs.

1. The Sub-Collector,
Devakottai,
Sivagangai District.

2. The Thasildar,
Karaikudi,
Sivagangai District.

3. The Special Thasildar,
(Nadham Settlement Scheme),
Karaikudi,
Sivagangai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Order passed by the first respondent herein in Na.Ka.No.a14174/2003 dated 15.10.2003 quash the same and consequently directing the second and third respondents to issue Patta and sub-divide the property to the respective applicants in Vast area of the S.Nos.9/3 and 9/8 to an extent of 10.80.0 hectares, Sekkalai Kottai Revenue Village, Karaikudi Taluk, Sivagangai District.



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For petitioner : Mr.RM.Arun Swaminathan
For respondents : Mr.M.Govindan
Special Government Pleader

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The challenge in this Writ Petition is to the proceedings dated 15.10.2003, on the file of the Sub-Collector, Devakottai, prohibiting issuance of patta in respect of the land owned by Iluppakudi Devasthanam.

2. The order is under challenge at the instance of the Association, primarily on the ground that on account of the said proceedings, the Tahsildar is not taking up the application for issuance of patta.

3. There is absolutely no public interest involved in this matter. In case, the application for patta is rejected on the basis of the earlier proceedings, it is always open to the concerned applicant to challenge the impugned order along with the proceedings on the basis of which the application was rejected. We therefore do not find any reason to entertain this writ petition at the instance of the association.

4. In the upshot, we dismiss the Writ Petition. No costs. However, we make it clear that this order would not stand in the way of the concerned applicants from challenging the proceedings, in case they are aggrieved. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Sub-Collector,
Devakottai,
Sivagangai District.

2. The Thasildar,
Sivagangai District.



3. The Special Thasildar,
(Nadham Settlement Scheme),
Karaikudi,
Sivagangai District.

+1cc to M/S.Chettinad Legal Solutions, Advocate in SR.No.66240
+1cc to The Special Government Pleader in SR.No.66952

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AE/MR KKR/SAR3/02.08.2017/3P/6C

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